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D12

weight of the finished particle. In another aspect of the present invention, the particle may contain oil in about 5% to 30% by weight of the finished particle. The particle may also contain oil in about 3% to 20% by weight of the finished particle. In another aspect of the present invention, the particle may contain oil in about 3% to 10% by weight of the finished particle. Thus, the particle may contain oil in about 5% by weight of the finished particle.

Please insert the following paragraph on page 12, line 28:

D13

A mineral may also be present in the melt from 1-20% by weight of the finished particles. In some embodiments of the present invention, the mineral may be present in the melt from 5-10% by weight of the finished particle. For example, calcium carbonate may be provided in the melt at about 5% by weight of the finished particle.

D14

(clean version of claim amendments)

Please amend claim 51 as follows:

51. (Amended) A microencapsulation process comprising:

- a) adding a core material and an oil having a melting point above about 110 Deg. F., without added water, into a mixer;
  - b) mixing the core material and the oil until microencapsulated particles are formed that comprise the core material and the oil; and
  - c) discharging the microencapsulated particles;
- with the proviso that no classification step is performed during the microencapsulation process.

Please amend claim 57 as follows:

D15

57. (Amended) The microencapsulation process of claim 51, wherein the oil having a melting point above about 110 Deg. F is a hydrogenated soy oil with a melting point of about 160 degrees F.

D16

Please amend claim 65 as follows:

65. (Amended) A microencapsulation process comprising:

- a) adding a core material, and an oil having a melting point above about 100 Deg. F., without added water, into a mixer;

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- D16*  
*3/20/03*
- b) simultaneously fluidizing and mixing the core material and the oil until microencapsulated particles are formed that comprise the core material and the oil;  
and  
c) discharging the microencapsulated particles.

Please amend claim 70 as follows:

*D17*  
*3/20/03*

70. (Amended) The microencapsulation process of claim 65 wherein the core material is selected from the group consisting of ace-inhibitors; anti-anginal drugs; anti-arrhythmias; anti-asthmatics; anti-cholesteroleemics; anti-convulsants; anti-depressants; anti-diarrhea preparations; anti-histamines; anti-hypertensive drugs; anti-infectives; anti-inflammatory agents; anti-lipid agents; anti-manics; anti-nauseants; anti-stroke agents; anti-thyroid preparations; anti-tumor drugs; anti-tussives; anti-uricemic drugs; anti-viral agents; acne drugs; alkaloids; amino acid preparations; anabolic drugs; analgesics; anesthetics; angiogenesis inhibitors; antacids; antiarthritics; antibiotics; anticoagulants; antiemetics; antiobesity drugs; antiparasitics; antipsychotics; antipyretics; antispasmodics; antithrombotic drugs; anxiolytic agents; appetite stimulants; appetite suppressants; beta blocking agents; bronchodilators; cardiovascular agents; cerebral dilators; chelating agents; cholecystokinin antagonists; chemotherapeutic agents; cognition activators; contraceptives; coronary dilators; cough suppressants; decongestants; deodorants; dermatological agents; diabetes agents; diuretics; emollients; enzymes; erythropoietic drugs; expectorants; fertility agents; fungicides; gastro-intestinal agents; growth regulators; hormone replacement agents; hyperglycemic agents; hypnotics; hypoglycemic agents; laxatives; migraine treatments; mineral supplements; mucolytics; narcotics; neuroleptics; neuromuscular drugs; NSAIDS; nutritional additives; peripheral vaso-dilators; polypeptides; prostaglandins; psychotropics; renin inhibitors; respiratory stimulants; steroids; stimulants; sympatholytics; thyroid preparations; tranquilizers; uterine relaxants; vaginal preparations; vaso-constrictors; vaso-dilators; vertigo agents; vitamins; wound healing agents; botanical substances; fungicides; fertilizers; niacin; L-arginine; creatine monohydrate; L-carnitine; aspirin; loratadine; lovastatin; vitamin C; garlic powder; polygonum cuspidatum root extract; astaxanthin; tocotrienol and co-enzyme Q-10.

Please amend claim 72 as follows:

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D18 *3/15/01* 72. (Amended) The microencapsulation process of claim 65, wherein the oil having a melting point above about 110 Deg. F is a hydrogenated soy oil with a melting point of about 160 degrees F.

Please amend claim 80 as follows:

D19 *3/15/01* 80. (Amended) A microencapsulation process comprising:  
a) adding a core material, and an oil having a melting point above about 110 Deg. F., without added water, into a mixer;  
b) mixing the core material and the oil, at a mixer work input ranging from 600 RPM to 2000 RPM, until microencapsulated particles are formed that comprise the core material and the oil; and  
c) discharging the microencapsulated particles.

Please amend claim 84 as follows:

D20 *3/15/01* 84. (Amended) The microencapsulation process of claim 80 wherein the core material is selected from the group consisting of ace-inhibitors; anti-anginal drugs; anti-arrhythmias; anti-asthmatics; anti-cholesterolemics; anti-convulsants; anti-depressants; anti-diarrhea preparations; anti-histamines; anti-hypertensive drugs; anti-infectives; anti-inflammatory agents; anti-lipid agents; anti-manics; anti-nauseants; anti-stroke agents; anti-thyroid preparations; anti-tumor drugs; anti-tussives; anti-urinary drugs; anti-viral agents; acne drugs; alkaloids; amino acid preparations; anabolic drugs; analgesics; anesthetics; angiogenesis inhibitors; antacids; antiarthritics; antibiotics; anticoagulants; antiemetics; antiobesity drugs; antiparasitics; antipsychotics; antipyretics; antispasmodics; antithrombotic drugs; anxiolytic agents; appetite stimulants; appetite suppressants; beta blocking agents; bronchodilators; cardiovascular agents; cerebral dilators; chelating agents; cholecystokinin antagonists; chemotherapeutic agents; cognition activators; contraceptives; coronary dilators; cough suppressants; decongestants; deodorants; dermatological agents; diabetes agents; diuretics; emollients; enzymes; erythropoietic drugs; expectorants; fertility agents; fungicides; gastro-intestinal agents; growth regulators; hormone replacement agents; hyperglycemic agents; hypnotics; hypoglycemic agents; laxatives; migraine treatments; mineral supplements; mucolytics; narcotics; neuroleptics; neuromuscular drugs; NSAIDS; nutritional additives; peripheral vaso-dilators; polypeptides; prostaglandins; psychotropics; renin inhibitors; respiratory stimulants; steroids; stimulants; sympatholytics; thyroid preparations; tranquilizers; uterine relaxants;

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vaginal preparations; vaso-constrictors; vaso-dilators; vertigo agents; vitamins; wound healing agents; botanical substances; fungicides; fertilizers; niacin; L-arginine; creatine monohydrate; L-carnitine; aspirin; loratadine; lovastatin; vitamin C; garlic powder; polygonum cuspidatum root extract; astaxanthin; tocotrienol and co-enzyme Q-10.

D 21  
Please amend claim 86 as follows:

86. (Amended) The microencapsulation process of claim 80, wherein the oil having a melting point above about 110 Deg. F is a hydrogenated soy oil with a melting point of about 160 degrees F.

D 22  
Please amend claim 94 as follows:

94. (Amended) A pharmaceutical composition comprising a microencapsulated core material, wherein the microencapsulated core material is microencapsulated by a formulation that consists essentially of an animal or vegetable oil with a melting point above about 110 Deg. F.

D 23  
Please amend claim 96 as follows:

96. (Amended) The pharmaceutical composition of claim 94, wherein the core material is selected from the group consisting of ace-inhibitors; anti-anginal drugs; anti-arrhythmias; anti-asthmatics; anti-cholesterolemics; anti-convulsants; anti-depressants; anti-diarrhea preparations; anti-histamines; anti-hypertensive drugs; anti-infectives; anti-inflammatory agents; anti-lipid agents; anti-manics; anti-nauseants; anti-stroke agents; anti-thyroid preparations; anti-tumor drugs; anti-tussives; anti-uricemic drugs; anti-viral agents; acne drugs; alkaloids; amino acid preparations; anabolic drugs; analgesics; anesthetics; angiogenesis inhibitors; antacids; antiarthritics; antibiotics; anticoagulants; antiemetics; antiobesity drugs; antiparasitics; antipsychotics; antipyretics; antispasmodics; antithrombotic drugs; anxiolytic agents; appetite stimulants; appetite suppressants; beta blocking agents; bronchodilators; cardiovascular agents; cerebral dilators; chelating agents; cholecystokinin antagonists; chemotherapeutic agents; cognition activators; contraceptives; coronary dilators; cough suppressants; decongestants; deodorants; dermatological agents; diabetes agents; diuretics; emollients; enzymes; erythropoietic drugs; expectorants; fertility agents; fungicides; gastro-intestinal agents; growth regulators; hormone replacement agents; hyperglycemic agents; hypnotics; hypoglycemic agents; laxatives; migraine treatments; mineral supplements; mucolytics; narcotics; neuroleptics; neuromuscular

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drugs; NSAIDS; nutritional additives; peripheral vaso-dilators; polypeptides; prostaglandins; psychotropics; renin inhibitors; respiratory stimulants; steroids; stimulants; sympatholytics; thyroid preparations; tranquilizers; uterine relaxants; vaginal preparations; vaso-constrictors; vaso-dilators; vertigo agents; vitamins; wound healing agents; botanical substances; fungicides; fertilizers; niacin; L-arginine; creatine monohydrate; L-carnitine; aspirin; loratadine; lovastatin; vitamin C; garlic powder; polygonum cuspidatum root extract; astaxanthin; tocotrienol and co-enzyme Q-10.

Please amend claim 98 as follows:

98. (Amended) The pharmaceutical composition of claim 94, wherein the oil having a melting point above about 110 Deg. F is a hydrogenated soy oil with a melting point of about 160 degrees F.

Please amend claim 106 as follows:

106. (Amended) A microencapsulation process comprising:

- a) adding a core material and a non-aqueous medium comprising an oil having a melting point above about 110 Deg. F., without added water, into a mixer;
  - b) mixing the core material and the oil at substantially ambient pressure until microencapsulated particles are formed that comprise the core material and oil;
  - c) discharging the microencapsulated particles;
- with the proviso that no grinding, sorting or separation step is performed.

Please add new claim 107 as follows:

107. (New) The pharmaceutical composition of claim 94, wherein the animal or vegetable oil is soy oil having a maximum iodine value of 5.0.

#### REMARKS

In the office action mailed July 30, 2002, claims 51-106 were pending for consideration, and the Examiner took the following actions:

- (a) claims 51-64, 73-75, 79, and 80-106 were rejected under 35 USC 112, first paragraph;
- (b) claims 51, 57, 68, 70, 72, 82, 84, 86, 96, and 98 were rejected under 35 USC 112, second paragraph; and
- (c) claims 51-106 were rejected under 35 USC 103(a) as being unpatentable over the combination of US Patent No. 6,048,562